

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant. | 12-mc-0115 (JSR) |
| In re: MADOFF SECURITIES | |

**NOTICE OF ANTECEDENT DEBT DEFENDANTS' MOTION
FOR 28 U.S.C. § 1292(b) CERTIFICATION**

PLEASE TAKE NOTICE THAT the Antecedent Debt Defendants (as defined by the Court's Order, *In re Madoff Sec.*, No. 12-mc-0115 (JSR), (S.D.N.Y. May 12, 2012), ECF No. 107), represented by the counsel listed below will move the Honorable Jed S. Rakoff, United States District Judge, on November 26, 2013, to amend the Court's Opinion and Order of October 15, 2013 ("the Order") to include a certification under 28 U.S.C. § 1292(b), pursuant to Federal Rule of Appellate Procedure 5(a)(3), Rule 59 of the Federal Rules of Civil Procedure, and Federal Rule of Bankruptcy Procedure 9023. The Antecedent Debt Defendants seek leave to appeal the Court's interlocutory ruling on the issues addressed in the Order.

The Motion is based upon the accompanying Memorandum, the briefing and supporting materials on the merits of the antecedent debt issues, all other pleadings and papers

filed in these proceedings, and any other matters that may properly come before the Court. Pursuant to the briefing schedule approved by the Court on October 25, 2013, responsive papers, if any, must be filed and served on or before November 19, 2013, and reply papers, if any, must be filed and served on or before November 26, 2013. The Motion will be considered on the papers.

Dated: October 29, 2013

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